

State of South Carolina

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Workers' Compensation Commission

February 11, 2014

In the Matter of Workers' Compensation Claims Arising Under CAGC Insurance Company Inc., Self-insured Program

On January 26, 2012, the General Court of Justice Superior Court Division, Wake County, North Carolina Court, entered a Rehabilitation and Injunction Order against CAGC Insurance Company. The court declared CAGC insolvent, appointed the Deputy Commissioner of the North Carolina Department of Insurance as Receiver, and gave exclusive possession of all CAGC's assets to the Receiver. With the [Order of Liquidation](#), CAGC qualifies as an "insolvent insurer" as defined by § 38-31-20(7). The [South Carolina Property and Casualty Insurance Guaranty Association Act](#) (the Act) provides a remedy for certain obligations of an insolvent insurer. The [South Carolina Guaranty Association](#) is responsible for administration of the Act.

Pursuant to the Act,

[a]ll proceedings involving covered claims in which the insolvent insurer is a party or is obligated to defend a party in any court in this State must be stayed ninety days from the date insolvency is determined to permit proper defense by the association.

§ 38-31-160

In accordance with § 38-31-160, the Commission issued an [Administrative Order](#) instructing the Commission to stay all matters before the Commission in which CAGC is a party until **April 16, 2014**, which is 90 days after the entry of the Order of Liquidation. Once the statutory 90 day stay has expired, the Commission's Judicial Department will move forward with processing all pending matters in as expedient manner as possible.

The Commission will continue to provide updates as they become available.

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